

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIKKIA T. MCCLAIN,

x

Plaintiff,

No. 20-CV-5054 (CS)

-against-

AUTOEXPO ENT. INC. f/k/a
AUTO EXPO ENT. INC.,
RESPECT AUTO GROUP I LLC d/b/a
YONKERS KIA,
OMID ELYAHOU,
MAX COLIMON,
CHRISTINA CASTELUCHE,
SANTANDER CONSUMER USA INC.,
EXETER FINANCE LLC,
TR VW LLC, d/b/a/ TOMS RIVER VOLKSWAGEN

Defendants.

x

Declaration of Brian L. Bromberg

Brian L. Bromberg, an attorney at law duly admitted and licensed to practice before the United States District Court for the Southern District of New York, declares the following to be true under penalties of perjury:

1. Plaintiff initiated this action on July 1, 2020, and filed an Amended Complaint adding **TR VW LLC d/b/a/ TOMS RIVER VOLKSWAGEN** as a defendant on January 6, 2021.

2. The Defendant, **TR VW LLC d/b/a/ TOMS RIVER VOLKSWAGEN**, is not an infant, is not in the military, and is not an incompetent person.

3. The Defendant, **TR VW LLC d/b/a/ TOMS RIVER VOLKSWAGEN**, has failed to plead or otherwise defend the action.

4. The Defendant, **TR VW LLC d/b/a/ TOMS RIVER VOLKSWAGEN**, was properly served with copies of the Summons and Amended Complaint on January 19, 2021.

5. The Summons and Amended Complaint were personally served on Michael Maccar, Managing Agent of **TR VW LLC d/b/a/ TOMS RIVER VOLKSWAGEN**, and proof of service was filed on January 22, 2021 (ECF #116).

WHEREFORE, Plaintiff requests that the clerk issue a Certificate of Default against **TR VW LLC d/b/a/ TOMS RIVER VOLKSWAGEN** in the above-referenced action.

Dated: Brooklyn, New York
February 24, 2021

/s/ Brian L. Bromberg
Brian L. Bromberg